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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:13-CR-035-RCJ-(WGC)
11 THOMAS NELSON LUPOLD,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on October 15, 2013, defendant THOMAS NELSON LUPOLD pled
15 guilty to Count One of a One-Count Superseding Felony Information charging him with Possession of
16 Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Superseding
17 Felony Information, ECF No. 22; Change of Plea, ECF No. 21; Plea Agreement, ECF No. 24.

18 This Court finds defendant THOMAS NELSON LUPOLD agreed to the forfeiture of the
19 property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Felony
20 Information. Superseding Felony Information, ECF No. 22; Change of Plea, ECF No. 21; Plea
21 Agreement, ECF No. 24.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
23 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture
24 Allegation of the Superseding Felony Information and the offense to which defendant THOMAS
25 NELSON LUPOLD pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 2253:

- 3 1. One Acer Laptop Computer Model 5534 (Serial No. LXPJV020029381334);
- 4 2. One Acer Laptop Computer Model 5733Z (Serial No.
5 LXRJW020071402B9C81601); and
- 6 3. any book, magazine, periodical, film, videotape, or other matter which contains any
7 such visual depiction, which was produced, transported, mailed, shipped or received
8 in violation of Title 18, United States Code, Section 2252A ("property").

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
12 United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
14 THOMAS NELSON LUPOLD in the aforementioned property is forfeited and is vested in the United
15 States of America and shall be safely held by the United States of America until further order of the
16 Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
18 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
19 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
20 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
21 name and contact information for the government attorney to be served with the petition, pursuant to
22 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
24 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
25 Virginia Street, 3rd Floor, Reno, NV 89501.

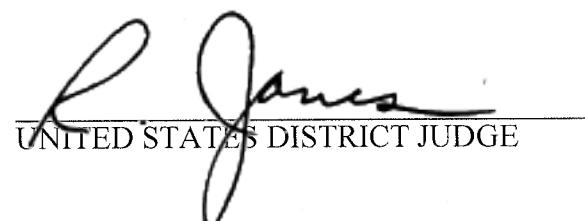
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Greg Addington
5 Assistant United States Attorney
6 100 West Liberty Street, Suite 600
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 Dated this 3rd day of January, 2014.

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14 E. Jones
15 UNITED STATES DISTRICT JUDGE
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